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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-668)

PATENT

In re Application of: Welcher et al.)
Serial No.: 09/729,264) Before the Examiner: B. Whiteman
Filed: November 28, 2000) Group Art Unit: 1633
For: B7-Like Molecules and)
Uses Thereof)

Commissioner for Patents
Washington, D.C. 20231

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OFFICE OF PETITIONS

Sir:

INFORMATION DISCLOSURE STATEMENT

This statement is filed under 37 C.F.R. §§ 1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

European Patent Publication No. 0 088 046 discloses a process for preparing unilamellar liposomes for use as drug carriers. The abstract of EP 0 088 046 states:

The present invention relates to a novel advantageous process for the preparation of unilamellar liposomes in aqueous phase by converting a suitable lipid component, e.g. phosphatidic acid, into the ionic form by subjecting the lipid dispersion to a change in pH value and subsequently neutralizing it. Formation of the unilamellar liposomes is spontaneous, i.e. it takes place without additional external supply of energy. The liposomes obtainable by the process of this invention can be used therapeutically as carriers for drugs of the most widely different kind.

European Patent Publication No. 0 133 988 discloses implants containing regulatory peptides or their analogues and processes for their preparation. The abstract of EP 0 133 988 states:

Implants containing regulatory peptides or their analogues as active ingredients and natural poly-D-(-)-3-hydroxybutyric acid as biodegradable

vehicle, and process for their preparation, are described. The active ingredient undergoes protracted release from the implants.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, Applicants hereby authorize the Commissioner to charge the fee to Deposit Account No. 13-2490.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: June 7, 2002

By

Donald L. Zuhn, Ph.D.



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Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This statement is filed under 37 C.F.R. §§ 1.97-1.98 in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56 and fee pursuant to 37 C.F.R. §§ 1.97(c) and 1.17(p). Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

A check including the fee for an information disclosure statement under § 1.97(c) is attached. The Commissioner is authorized to charge any deficiency or credit any excess in this fee to Deposit Account No. 13-2490.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: June 7, 2002

By:

Donald L. Zuhn, Ph.D.